

REMARKS:

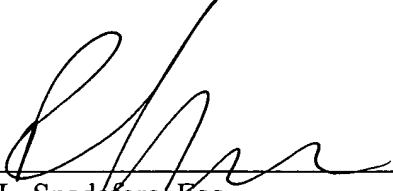
By the present amendment, Claims 1, 4-5, 8 and 11 are amended. Claims 9-10 and 14-28 are withdrawn from consideration. Claims 1, 4-5, 8 and 11 have been amended to correct the form of the adjective 'a'. Claims 1 and 5 have been amended to recite the elected nucleotide SEQ ID NO:2923 and its corresponding polypeptide SEQ ID NO:17026 and to remove the 'selected from the group consisting of' language, which has been rendered vague pursuant to the single species election. No prohibited new matter has been introduced by way of the above amendments. Applicants reserve the right to file a continuation or divisional application on any subject matter withdrawn or cancelled by way of this Amendment. Applicants respectfully request consideration of the subject application as amended herein.

CONCLUSION

A general authorization is granted to hereby charge any fees or deficiencies to Deposit Account No. 501040. In view of the amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone call would expedite the prosecution of this case, the Examiner is invited to call the undersigned at (781) 398-2548.

Respectfully submitted,

OSCIENT PHARMACEUTICALS CORPORATION

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Dated:

12/19/06